

**CITY OF JORDAN
ORDINANCE 2020-01**

**AN ORDINANCE AMENDING CITY CODE CHAPTERS 124, 151 AND 154 TO
CORRECT MISCELLANEOUS ERRORS AND INCONSISTENCIES**

Subdivision 1. Purpose. As part of an annual process, staff have identified Code Sections that contain various errors, inconsistencies, or that may be misleading. Proposed code changes are proposed only to correct errors or inconsistencies and not to change the intent of altered City Code Sections.

Subdivision 2. Amendment. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Chapters 124, 151, and 154 of the Jordan City Code are hereby amended to read as follows:

CHAPTER 124: RESIDENTIAL RENTAL LICENSING AND INSPECTIONS

[Chapter title changed]

CHAPTER 151: MANUFACTURED HOME PARK REGULATIONS

§ 151.05 MANUFACTURED HOME PARK STANDARDS

(F) Each manufactured home park shall have a central community building which shall include laundry washing and drying machines. Each manufactured home park shall have a storm shelter or a plan of evacuation and sheltering for all residents of the park in times of severe weather conditions such as tornadoes, high winds and floods in accordance with Minnesota Statutes. A manufactured home park with ten or more manufactured homes, receiving a primary license after March 1, 1988 must provide the type of shelter specified by Department of Administration Rules 1370.0100 through 1370.0230 relating to Manufactured Home Park Storm Shelter Design.

CHAPTER 154: ZONING

§ 154.020 DEFINITIONS.

FRONT YARD. A space extending across the full width of the lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

OPEN SALES LOT (OUTDOOR STORAGE). Any land used or occupied for the purpose of buying, selling, leasing, renting or trading goods, materials or merchandise where such goods are not enclosed in a building.

OUTDOOR SEATING. A commercial seating area for business patrons which is not located in an "Indoor Area" as defined by M.S. § 144.413, Subd. 1a.

OUTDOOR STORAGE. The storage, including open storage, of goods, materials, equipment, manufactured products, and similar items not fully enclosed by a building. for an indefinite period of time.

OUTDOOR STORAGE, TEMPORARY. The storage, including open storage, of goods, materials, equipment, manufactured products, and similar items not fully enclosed by a building for a limited time.

SETBACK. The minimum distance between a building and the property line nearest thereto.

§ 154.048 VARIANCES.

- (D) Procedure. The applicant shall complete a variance application form and submit it, along with a site plan, filing fee, and any other necessary information to the city who shall refer the application to the Board of Appeals and Adjustment for review.

§ 154.086 DESIGN AND PERFORMANCE STANDARDS.

- (B) Fences. Fences are permitted in the yard setback area only under the following conditions:
 - (9) Fences not exceeding 3½ feet in height may be constructed in any front yard setback area. No fences are allowed in the front yard setback area unless the fence is 3½ feet tall or less.

§ 154.096 DESIGN AND PERFORMANCE STANDARDS.

- (B) Fences. Fences are permitted in the yard setback area only under the following conditions:
 - (9) Fences not exceeding 3½ feet in height may be constructed in any front yard setback area. No fences are allowed in the front yard setback area unless the fence is 3½ feet tall or less.

§ 154.106 DESIGN AND PERFORMANCE STANDARDS.

- (B) Fences. Fences are permitted in the yard setback area only under the following conditions:
 - (9) Fences not exceeding 3½ feet in height may be constructed in any front yard setback area. No fences are allowed in the front yard setback area unless the fence is 3½ feet tall or less.

§ 154.116 DESIGN AND PERFORMANCE STANDARDS.

- (K) Fences. Fences are permitted in the yard setback area only under the following conditions:
 - (9) Fences not exceeding 3½ feet in height may be constructed in any front yard setback area. No fences are allowed in the front yard setback area unless the fence is 3½ feet tall or less.

§ 154.121 PURPOSE.

This district is established to allow manufactured home parks in a specified area of the city. All manufactured homes shall be located in a manufactured home park. Manufactured home parks shall provide ingress and egress roadways, storm shelters, open space for playgrounds, recreation and park purposes and necessary sewer, water, electricity, and refuse services. Manufactured home parks shall provide a storm shelter or evacuation plan in accordance with Minnesota Statutes.

§ 154.126 DESIGN AND PERFORMANCE STANDARDS.

- (P) Storm shelter plan required. All manufactured home parks shall provide a storm shelter or a plan of evacuation and sheltering for all residents of the park in times of severe weather conditions such as tornadoes, high winds and floods in accordance with Minnesota Statutes. The plan shall be developed with the input and approval of the city and shall be posted at conspicuous locations throughout the park. The shelter must be available to all residents of the park at any time of the day or night.
- (EE) Fences. Fences are permitted in the yard setback area only under the following conditions:
 - (9) Fences not exceeding 3½ feet in height may be constructed in any front yard setback area. No fences are allowed in the front yard setback area unless the fence is 3½ feet tall or less.

TABLE A: RESIDENTIAL LOT REQUIREMENTS

[Table A shall be amended to include the following language under the column titled “Accessory Buildings” for Districts R-1 – R-4.]

No accessory buildings, including garages, on any lot may be placed less than 5 feet from the side and/or rear property lines of the lot. Accessory buildings including garages on any corner lot where the principal structure is incomplete or non-existent as of January 1, 1994, may be placed no closer to the side property line than the front yard setback in effect on the relevant side street. Uncovered decks must be placed on any lot in compliance with the rear, side, and front setbacks for the principal structure on the lot, except in the R-1 and R-2 where decks can be located a minimum of 20 feet from the rear lot line.

§ 154.167 DESIGN AND PERFORMANCE STANDARDS.

- (B) Outdoor storage.
- (C) Screening
 - (1) All outdoor storage shall be screened. The exceptions are (1) merchandise being displayed for sale (2) materials and equipment presently being used for construction on the premises.
- (J) Fence and walls. Maintenance-free fence and walls and hedges are permitted in the yard setback area under the following conditions:
 - (2) A fence or wall not exceeding 3½ feet in height may be constructed in any front yard;

§ 154.177 DESIGN AND PERFORMANCE STANDARDS.

(D) Outdoor storage.

(G) Screening

(2) All outdoor storage shall be screened. The exceptions are (1) merchandise being displayed for sale (2) materials and equipment presently being used for construction on the premises.

(K) Fence and walls. Maintenance-free fence and walls and hedges are permitted in the yard setback area under the following conditions:

(3) A fence or wall not exceeding 3½ feet in height may be constructed in any front yard;

§ 154.199 ADOPTED PUD OVERLAY DISTRICTS.

A comprehensive list of all existing PUD overlay districts as approved by the City Council can be found at City Hall. Each area zoned PUD is numbered in chronological order based on the date of original adoption followed by a brief description of the location.

§ 154.224 DESIGN AND MAINTENANCE OF OFF-STREET PARKING AREAS.

(K) Yard.

(1) Parking areas shall be subject to the requirements of the front yard and side yard abutting a street or on a corner provided in the district in which the parking is located; except that in the R-1, R-2, and R-3 Districts, parking for a detached single-family, 2-family house, or townhouse shall be permitted in the front yard under the following conditions:

(a) There is no other location on the lot where parking is practical.

(b) Total parking and driveway area does not occupy more than 40% of the front yard area.

§ 154.313 GENERAL REQUIREMENTS

(I) Storm Shelter. In cases where residential dwelling units are constructed slab on-grade, any provisions shall be made to provide for storm protection either internally to the unit or in a separate storm shelter structure shall comply with State Building Code. Compliance with this requirement shall be based upon Federal Emergency Management Agency (FEMA) guidelines and standards which are on file with the City Building Official.

§ 154.322 LANDSCAPE ESCROW.

Prior to issuance of a building permit for construction of the first structure on a lot, an applicant shall post an escrow in an amount set by resolution of the City Council to guarantee compliance with the city's landscaping requirements governed by city ordinance, a list of which is available at City Hall. The city shall release the escrow once the applicant has satisfied ALL requirements concerning landscaping. The city will not make any PARTIAL escrow releases.

(A) Requirements. Prior to landscape escrows being released, the property owner or builder shall:

- (1) Provide a form to the City of Jordan stating the property is graded to the approved plans and signed by a registered land surveyor.
 - (2) Grade yards and setback areas, except driveways and areas used as a garage or accessory building, to final elevations.
 - (3) Sod or seed yard areas and landscape with trees that are of an acceptable variety, and shrubs if so desired.
- (B) Timeline. Said grading and landscaping shall be completed within 90 days after the certificate of occupancy is issued. If a certificate of occupancy is issued between the months of November and April 15, the 90-day period shall begin to run on April 15.
- (C) Noncompliance. The city or its designee shall apply all costs for remedial work or correction of landscaping deficiencies in the permittee's landscaping measures against the escrow. The city may draw on the escrow if all areas of the site disturbed by construction activities are not restored within the timeline required. The permittee shall also forfeit all escrow amounts held by the city and its designees if work is not completed within the required timeline. After providing 10 days written notice sent via U.S. mail to the property owner, the City of Jordan may complete any work required under this chapter and may draw against the escrow for payment of its costs. If the necessary corrections cost more than the escrowed amount, the City of Jordan may make the corrections and levy the cost of corrections as an assessment against the property pursuant to M.S. Chapter 429 Local Improvements, Special Assessments for a maximum of 1 year at an interest rate determined by Council. A fee as set by resolution of the Council shall be added to, and become part of, all assessments for landscaping improvements to cover city staff time, noticing requirements, and filing fees.

§ 154.375 GENERAL PROVISIONS.

- (G) There shall be no exterior outdoor storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site.

Subdivision 3: NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that the following sections of Chapter 154 of the Jordan City Code, as shown with ~~strikethrough text~~, are hereby removed:

§ 154.085 LOT REQUIREMENTS.

- (F) Encroachment exceptions. The following shall not be encroachments on yard setback requirements.
- ~~(11) Decks may be located 20 feet from the rear lot line.~~

§ 154.095 LOT REQUIREMENTS.

- (F) Encroachment exceptions. The following shall not be encroachments on yard setback requirements.
- ~~(11) Decks may be located 20 feet from the rear lot line.~~

§ 154.115 LOT REQUIREMENTS.

- ~~(C) Accessory building. No accessory buildings, including garages, on any lot may be placed less than 5 feet from the side and/or rear property lines of the lot. Accessory buildings including garages on any corner lot where the principal structure is~~

~~incomplete or non-existent as of January 1, 1994, may be placed no closer to the side property line than the front yard setback in effect on the relevant side street. Uncovered decks must be placed on any lot in compliance with the rear, side, and front setbacks for the principal structure on the lot.~~

§ 154.324 LANDSCAPE REQUIREMENTS RESIDENTIAL.

~~Prior to landscape escrows being released the property owner or builder shall provide a form to the City of Jordan stating the property is graded to the approved plans and signed by a registered land surveyor. Yards and setback areas, except driveways and areas used as a garage or accessory building, shall be graded to final elevations and sodded or seeded and landscaped with trees, that are of an acceptable variety, and shrubs if so chosen. Said grading and landscaping shall be completed within 90 days after the certificate of occupancy is issued. If a certificate of occupancy is issued between the months of November and April 15, the 90 day period shall begin to run on April 15.~~

§ 154.325 LANDSCAPE REQUIREMENTS COMMERCIAL AND INDUSTRIAL.

~~Prior to landscape escrows being released the business owner or builder shall provide a form stating the property is graded to the approved plans and signed by a registered land surveyor. Yards and setback areas, except driveways and areas used as a garage or accessory building, shall be graded to final elevations and sodded or seeded and landscaped with trees, that are of an acceptable variety, and shrubs if so chosen. Said grading and landscaping shall be completed within 90 days after the certificate of occupancy is issued. If a certificate of occupancy is issued between the months of November and April 15, the 90 day period shall begin to run on April 15.~~

Subdivision 4: Effective Date. This ordinance is effective immediately following its publication in the official newspaper of the City.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota
this 21 day of January, 2020.

Tanya Velishek, Mayor

ATTEST:

Tom Nikunen, City Administrator

Drafted by:
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